

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD CAPELLI,
Plaintiff,

v.

SHIRLEY STAPP,
Defendant.

Case No. [19-cv-05402-WHO](#)

**ORDER ADOPTING REPORT AND
RECOMMENDATION**


Re: Dkt. No. 6

On September 3, 2019, Magistrate Judge Thomas S. Hixson issued a Report and Recommendation, recommending dismissal of this IFP action for failure to state a claim on which relief may be granted pursuant to 28 U.S.C. § 1915(e). Dkt. No. 6. Judge Hixson's Report and Recommendation was issued on September 3, 2019 and served by mail on plaintiff. Objections were due on or before September 17, 2019. As of today's date, no objection or other response has been filed by plaintiff.

Having reviewed the record in the case, I agree with Judge Hixson's Report and Recommendation and adopt it in every respect. This case is DISMISSED with prejudice for failure to state a claim.

IT IS SO ORDERED.

Dated: September 23, 2019


WILLIAM H. ORRICK
United States District Judge